

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CHELSEA GILLIAM, *et al.*

*

Plaintiffs,

*

v.

*

Civil Action No. RDB-23-01047

DEPARTMENT OF PUBLIC SAFETY *
& CORRECTIONAL SERVICES, *et al.*,

*

Defendants.

* * * * *

AFFIDAVIT OF DR. OSCAR H. JERKINS

I, Dr. Oscar H. Jerkins, being competent to testify, hereby affirm as follows:

1. I am currently employed as the Chief Medical Director of the Maryland Department of Public Safety and Correctional Services (“DPSCS”). I was employed in this position at the time of the events alleged in the Complaint in the above-captioned action filed by Plaintiff Chloe Grey a.k.a. Chloe Scheibe, SID 3172627.

2. My responsibilities include overseeing the provision and administration of medical care, services, and treatment to all institutions of DPSCS, including Patuxent Institution (“Patuxent”), and performing in-depth reviews of medical records and clinical site reviews.

3. Ms. Grey’s medical records are tracked under her former name, Chloe Scheibe. All references to “Ms. Scheibe” in this affidavit reference Ms. Grey.

4. Ms. Chloe Schiebe, SID # 3172627, is a 35-year-old transgender female who has consistently received medical care and been on hormonal therapy since December 2021. Ms. Scheibe's current diagnoses are as follows: adjustment disorder with mixed anxiety and depressed mood, gender identity disorder, antisocial personality disorder, and borderline personality disorder.

5. On July 23, 2023, Ms. Scheibe’s medical records show she was prescribed Vaniqa, a prescription topical medication for discouraging facial hair growth. The medication was discontinued on August 23, 2023 and Ms. Grey was advised that this was due to the fact that Vaniqa is no longer available in the United States.

6. I am aware of the Court's December 4, 2023, Order mandating the Department "provide Plaintiff with any over-the-counter facial hair inhibitor product that is a reasonable replacement for the facial hair inhibitor cream Plaintiff has been prescribed, provided that any such over-the-counter facial hair inhibitor product is available to DPSCS."

7. I have researched and attempted to locate such an "over-the-counter facial hair inhibitor product that is a reasonable replacement for the facial hair inhibitor cream Plaintiff has been prescribed" and have been unable to do so.

8. Based on my research, no over the counter substitute for Vaniqa exists.

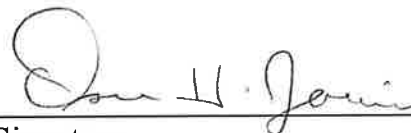
9. I located a prescription non-US equivalent Vaniqa (eflornithine hydrochloride) in the United Kingdom. However, the product would still have to be prescribed to Ms. Grey and would necessitate sourcing and ordering through a Canadian pharmacy. Even if an affiliated provider were to prescribe this, I foresee a potential for supply chain issues or other disruptions in the availability of this prescription.

10. From my review of Ms. Grey's medical records, I see that for a significant amount of time, she has received hormone therapy, Estrace (estradiol) with a dosage of three (3) 2mg oral tabs to be taken once per day in the morning with some breast development. Ms. Grey receives Aldactone (spironolactone) with a dosage of one (1) 100mg oral tab to be taken twice per day that suppresses secondary androgenic sex characteristics, including facial hair growth.

11. Over-the-counter depilatory products, such as Nair, are not "hair inhibitor" products. Furthermore, possession of Nair cream is restricted in DPSCS facilities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3/8/2024 (date)



Signature

Dr. Oscar H. Jerkins